

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FRANCESCO ZANGHI and ZANGHI
LLC,

Plaintiffs,

- against -

MEMORANDUM

19 Civ. 5830 (NRB)

PIERGRAZIANO RITELLA, GIUSEPPE
CAVALLARO, ALESSANDRO VACCA,
GIANLUCA ALOCCI, STEFANO
CALLEGARI, FUTURA HOSPITALITY
LLC, STUDIO LEGALE CAVALLARO,
and GIOIA E VITA S.R.L.,

Defendants.

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NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE

On May 28, 2021, Stefano Callegari (hereafter "Callegari") filed a letter informing the Court of his decision to terminate his counsel [ECF No. 151]. In that letter, Callegari also indicated that he would seek substitute counsel but that in the interim, he would appear *pro se*. On October 26, 2021, Callegari filed a consent form to receive electronic service of notices and documents in this case via the Court's Electronic Case Filing ("ECF") system. We surmise from this filing that Callegari never obtained new counsel and that to the extent required, he will be proceeding in this case *pro se*.

Nonetheless, upon close review of the status of this case as it pertains to Callegari, it is our view that, in light of our

September 24, 2021 decision [ECF No. 152] and the defendants' proposed stipulations regarding adjudication of the Sforno transactions in Italy [ECF Nos. 154-155], there are no pending claims against Callegari in this Court. Of plaintiffs' surviving claims, only one implicates Callegari - Count IX for Money Had and Received. However, there is no factual basis in the complaint to support this claim as against Callegari given that there is no allegation that Callegari received any money from plaintiffs. With respect to the La Rossa transactions—the only ones remaining here—it would seem logical that whatever money Callegari may have received from the sale of his proprietary method of pizza making predated the presentation of the business proposal to plaintiff and any subsequent investment. If any party disagrees with this assessment of the current state of the pleading, such party should inform the Court forthwith by letter.

Dated: New York, New York
October 28, 2021


NAOMI REICE BUCHWALD
UNITED STATES DISTRICT JUDGE